

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 05-10059-DPW
	)	
CHAD BENJAMIN,	)	
	)	
Defendant.	)	

**JOINT INITIAL STATUS MEMORANDUM**

Pursuant to Local Rule 116.5(A), the parties hereby submit this Joint Initial Status Report to advise the Court of the following:

1. Government's disclosure of automatic discovery was due on April 18, 2005. However, due to other pressing matters, the government is seeking a 10-day extension for compliance until April 29, 2005, for which counsel for the defendant has given his assent. As such, the parties have not yet been able to assess whether any letters requesting discovery and/or motions for discovery will need to be filed. Therefore, the parties seek relief from the otherwise applicable timing requirements imposed by L.R. 116.3.
2. The defendant and government seek discovery concerning any expert witnesses, pursuant to Fed. R. Crim. P. 16(a)(1)(G). The government has agreed to provide the defendant with discovery concerning any expert witnesses twenty-eight (28) days before trial, and the defendant has agreed to provide the government with any reciprocal discovery concerning expert witnesses within fourteen (14) days of trial as required under Fed. R. Crim. P. 16(b)(1)(C).
3. Because automatic discovery has not yet been completed, the parties are unable to anticipate whether they will anticipate providing additional discovery as a result of its future receipt of information, documents, or reports of examinations or tests.
4. Because automatic discovery has not yet been completed, the parties have not been able to determine whether any motions will be filed, and, therefore, the parties do not request at the present time that the Court establish a motion date under Fed. R. Crim. P. 12.

5. The parties also request that the period between March 21, 2005 (date of arraignment) and the date of the next scheduled Status Conference be excluded under the Speedy Trial Act.
6. At the time of this writing, the parties have not yet been able to assess whether a trial will be necessary in this case.
7. The parties request that an Interim Status Conference be scheduled for a date in late May, 2005.

Respectfully submitted,

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CHAD BENJAMIN,  
Defendant

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